

**RECEIVED  
CENTRAL FAX CENTER****MAR 02 2006**RESPONSE UNDER 37 CFR 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 2826PATENT APPLICATION  
Docket No.: 8750-064  
Client Ref. No.: SPX200212-0002US**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Ho-Ouk LEE and Hyo-Dong BAN

Serial No.: 10/803,064 Examiner: Quach, Tuan N.

Filed: March 16, 2004 Group Art Unit: 2826

Confirmation No.: 5182

For: SEMICONDUCTOR DEVICES HAVING DUAL CAPPING LAYER  
PATTERNS AND METHODS OF MANUFACTURING THE SAMEMail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed September 2, 2005 finally rejecting claims 10-21. The item(s) checked below are appropriate:

**1. STATUS OF APPLICANT**

This application is on behalf of

☒ other than a small entity

03/03/2006 TL0111 00000016 10003064

01 FC:1401

500.00-OP

02 FC:1253

570.00 OP

**2. FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 CFR 1.17(e) the fee for filing the Notice of Appeal is:

☒ other than a small entity

\$500.00

Notice of Appeal fee due

\$500.00

**3. EXTENSION OF TERM**

NOTE: The time periods set forth in 37 CFR 1.191 are subject to the provision of #1.136 for patent applications 37 CFR 1.191(d). But see 37 CFR 1.645 for extension of time in interference proceedings and 37 CFR 1.550(c) for extension of time in reexamination proceedings).

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

- (a) ☒ Applicant petitions for an extension of time under 37 CFR 1.17 (a)-(d) for the total number of months checked below: *Note that first and second month extensions have already been paid on January 30, 2006 in response to Final Office Action.*

Extension Fee:

<input checked="" type="checkbox"/>	<u>MonthsSmall Entity</u>	<u>Other Than Small Entity</u>
	three months	\$1020.00

If an additional extension of time is required, please consider this a petition therefor.

- ☒ An extension for two months has already been secured and the fee paid therefor of \$450.00 is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request **\$ 570.00**

4. **TOTAL FEE DUE**

The total fee due is:

Notice of Appeal fee \$ 500.00

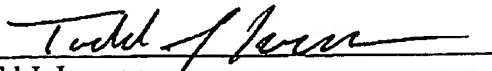
**TOTAL FEE DUE \$ 500.00**

5. **FEE PAYMENT**

- ☒ Attached PTO Form 2038 authorizing credit card payment of the above-listed fees.
- ☒ Any deficiency or overpayment for extensions of time or claims should be charged or credited to deposit account number 13-1703.

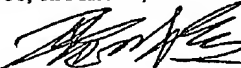
Customer No. 20575

Respectfully submitted,  
MARGER JOHNSON & McCOLLOM, P.C.

  
Todd J. Iverson  
Reg. No. 56,057

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I hereby certify that this correspondence is being transmitted to the U.S. Patent and Trademark Office via facsimile number 571-273-8300, on March 2, 2006.

  
Li Mei Vermilya